D9/

GTX-001 CIP

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe T am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND APPARATUS FOR CONDUCTING ELECTRONIC COMMERCE TRANSACTIONS USING ELECTRONIC TOKENS

the specification of which

(check one)	[X] is attached hereto	
·	[ ] was filed on	as
	(if applicable)	

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or provisional applications filed under 35 U.S.C. § 111(b) listed below and have also identified below any foreign application for patent, inventor's certificate or provisional application having a filing date before that of the application on which priority is claimed:

Prior Foreign or Provisional Application(s)

			1110	<u> </u>
60/178,239	US	26/01/2000	[X]	[ ]
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

Priority

I hereby claim the benefit under Title 35, United States Code, \$ 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, \$ 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, \$ 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

09/553,695 Application Serial No.)	April 21, 2000 (Filing Date)	<pre>pending (Status) (patented, pending, abandoned)</pre>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

As a named inventor, I hereby appoint the following attorneys or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Nicola A	A. Pisano, Esq Req. No. 34,408	
Michael	J. DeHaemer - Reg. No. 39,164	
Steven 3	J. Cahill - Reg. No. 44,578	

Send correspondence to:

Steven J. Cahill

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1251 Avenue of the Americas New York, New York 10020

Direct telephone calls to:

<u>Steven J. Cahill</u> (650) 617-4000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name o	f inventor	Marvin T. Ling	<u> </u>
Inventor's	signature .		Date
Residence _	7676 Eas	t Tuckey Lane, Scottsdale, Arizona	
Citizenship	<u>United</u>	States of America	
Post Office	Address _	7676 East Tuckey Lane	
		Scottsdale, Arizona 85250	



Applicant or Patentee	: Marvin T. Ling	Attorney's		
Serial or Patent No.:		Docket No.:	GTX-001	CIP
Filed or Issued:	Herewith			

For: METHOD AND APPARATUS FOR CONDUCTING ELECTRONIC COMMERCE TRANSACTIONS USING ELECTRONIC TOKENS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am:

Ü

- [ ] The owner of the small business concern identified below:
- [X] An official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: GTX Corporation

ADDRESS OF CONCERN 2390 East Camelback Road, Suite 410

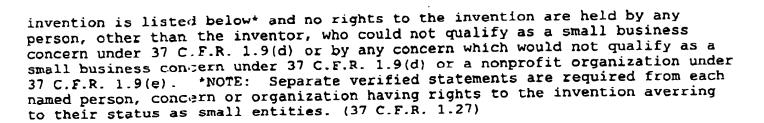
Phoenix, Arizona 85016

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121.3-18, and reproduced in 37 F.R. 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled <a href="METHOD AND APPARATUS FOR CONDUCTING ELECTRONIC COMMERCE TRANSACTIONS USING ELECTRONIC TOKENS">METHOD AND APPARATUS FOR CONDUCTING ELECTRONIC COMMERCE TRANSACTIONS USING ELECTRONIC TOKENS</a> by inventor <a href="Marvin T. Ling">Marvin T. Ling</a> described in:

[X]	The specification file	d herewith.	
[ ]	Application Serial No.	, filed	•
[ ]	Patent No.	, issued	

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the



NAME							
ADDRESS	] INDIVIDUAL	[X] SMALL	BUSINESS	CONCERN	[ ]	NONPROFIT	ORGANIZATION
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NAME OF P	PERSON SIGNING PERSON OTHER	THAN OWNER	Senior	M. Ling Vice Pres	siden	t and Gene	eral Counsel
ADDRESS C	OF PERSON SIGN	NING	Phoeni	ast Cameli x, Arizona	850	Road, Suit	
CICNA TIDE	affect	V					DATE Sept. 18.